

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

STANDING ROCK SIOUX TRIBE, YANKTON  
SIOUX TRIBE; ROBERT FLYING HAWK;  
OGLALA SIOUX TRIBE,

Plaintiffs,

and

CHEYENNE RIVER SIOUX TRIBE; SARA  
JUMPING EAGLE ET AL.,

Plaintiff-Intervenors,

v.

U.S. ARMY CORPS OF ENGINEERS,

Defendant-Cross Defendant,

and

DAKOTA ACCESS, LLC,

Defendant-Intervenor-Cross  
Claimant.

Case No. 1:16-cv-1534-JEB  
(and Consolidated Case Nos. 16-cv-  
1796 and 17-cv-267)

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**DAKOTA ACCESS, LLC'S CONSENTED-TO  
MOTION FOR EXTENSION OF PAGE LIMITS**

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Pursuant to Local Rule 7(e), Dakota Access, LLC (“Dakota Access”) respectfully moves for leave to file a single, consolidated memorandum of no more than 70 pages in opposition to Plaintiffs’ four separate motions for summary judgment and in support of its cross-motion for summary judgment. Plaintiffs filed their summary judgment motions on August 16, 2019. D.E. 433-2, 434-2, 435-1, 436-1. Combined, Plaintiffs’ memoranda in support of summary judgment exceed 150 pages. The briefing schedule contemplates that Defendants will file “cross-motions for summary judgment and oppositions to Plaintiffs’ motions by October 9, 2019.” Minute Order (June 19, 2019); *accord* D.E. 428. A single consolidated response and memorandum in support

of a cross-motion for summary judgment by Dakota Access would better serve judicial efficiency, especially given the overlap in facts and argument among the four Plaintiffs' motions. A brief of 70 pages would also likely be notably shorter than the total number of pages that would be needed for Dakota Access to file separate responses to each Plaintiff. *See L.R. Civ. 7(e)* (allowing 45 pages per response). Plaintiffs and the U.S. Army Corps of Engineers each have stated that they do not object to this request.

WHEREFORE, Dakota Access prays for an order granting it leave to file a single memorandum of law not to exceed 70 pages.

Dated: October 8, 2019

Respectfully submitted,

/s/ William S. Scherman  
William S. Scherman  
David Debold  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 955-8500  
[wscherman@gibsondunn.com](mailto:wscherman@gibsondunn.com)

*Counsel for Dakota Access, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this day of October 8, 2019, I electronically filed the foregoing document using the CM/ECF system. Service was accomplished by the CM/ECF system.

/s/ William S. Scherman  
William S. Scherman  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 955-8500  
wscherman@gibsondunn.com

*Counsel for Dakota Access, LLC*

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Plaintiff,  
and  
CHEYENNE RIVER SIOUX TRIBE,  
Plaintiff-Intervenor,  
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Defendant,  
and  
DAKOTA ACCESS, LLC,  
Defendant-Intervenor-Cross Claimant.

Case No. 1:16-cv-01534-JEB

**[PROPOSED] ORDER GRANTING DAKOTA  
ACCESS, LLC'S CONSENTED-TO MOTION FOR EXTENSION OF PAGE LIMITS**

The Court orders that Dakota Access, LLC's Consented-To Motion For Extension Of Page Limits is GRANTED. Dakota Access, LLC may file a single, consolidated memorandum of no more than 70 pages in opposition to Plaintiffs' motions for summary judgment and in support of its cross-motion for summary judgment.

Dated: \_\_\_\_\_

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Hon. JAMES E. BOASBERG  
United States District Judge